

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* ANDREW J. FISH & MICHAEL D. KINNEY

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Appeal 2007-3697  
Application 10/015,533  
Technology Center 2100

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Mailed: December 2, 2008

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Before DALE M. SHAW, *Chief Appeals Administrator*  
SHAW, *Chief Appeals Administrator*.

ORDER DISMISSING APPEAL

On June 13, 2008, the Board of Patent Appeals and Interferences (hereinafter "Board") mailed an Order Requiring Appellants to Brief An Additional Matter. The Appellants were given a non-extendable time period of thirty days within which to respond to the Order. The Appellants have failed to comply with the Order within the time given resulting in a *sue sponte* dismissal of this appeal.

Appeal 2007-3697  
Application 10/015,533

Accordingly, it is **ORDERED** that the appeal which was filed on September 29, 2006, be dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

If there are any questions pertaining to this dismissal, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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